



Attorney Docket No.: 2870/319

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Painter et al.

Serial No.: 09/622,510

Group Art Unit: 1616

Filed: October 19, 2000

Examiner: K. George

For: GEL-BASED COSMETIC COMPOSITION

#7
3/10/01
7-701

RESPONSE UNDER 37 CFR 1.111

Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

In response to the office action dated January 3, 2001, please enter the following remarks.

REMARKS

I. Double Patenting

Claims 1-26 have been provisionally rejected under 35 USC §101 as claiming the same invention as that of claims 1-24 of Serial No. 09/344,090.

The '090 application has now been allowed to become abandoned for failure to respond to the outstanding office action. Thus, the double patenting rejection is rendered moot, and withdrawal is respectfully requested.

II. Rejection under 35 USC §103

Claims 1-26 have been rejected under 35 USC §103 as being unpatentable over Igo-Kemenes et al. in view of Iosilevich et al. The rejection is stated as follows:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

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Date 6/21/01 Atty's Reg. # 30,333

Atty's Signature Mary C. Kenyon
KENYON & KENYON